

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:) CASE NO.: 13-03204-jw
Bernard C. Lyles) Chapter 13
DEBTOR) MORTGAGE LOAN MODIFICATION/LOSS
) MITIGATION REPORT
)
)

Following efforts to negotiate loss mitigation/mortgage modification of the above described loan, the parties report that the loss mitigation/mortgage modification was denied or has failed for the following reasons:

Name of Mortgage Creditor: Rushmore Loan Servicing as servicer for MTGLQ Investors, LP ("Creditor").

Property Address: 13 Trotwood Drive, Columbia, SC 29209

Last Four Digits of

Account Number of Loan: 7793

Loss Mitigation was denied on May 31, 2018. Attached is the denial letter.

WHEREFORE, Creditor submits this Report of Mortgage Loan Modification/Loss Mitigation efforts.

RILEY POPE & LANEY, LLC

/s/T. Lowndes Pope
T. Lowndes Pope, Esq. (I.D. 6079)
Post Office Box 11412
Columbia, South Carolina 29211
(803) 799-9993
(803) 239-1414
Attorney for Creditor

Columbia, South Carolina
June 1, 2018

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

IN RE:) CASE NO.: 13-03204-jw
) Chapter 13
Bernard C. Lyles)
) CERTIFICATE OF SERVICE
)
 DEBTOR,)

This is to certify that I, Suzie Davis, an employee with the law firm of Riley Pope & Laney, LLC, have this day caused to be served upon the person named below the attached Mortgage Loan Modification/Loss Mitigation Report in the above-captioned matter via United States mail, first-class postage prepaid, to the following individuals:

Bernard C. Lyles
13 Trotwood Drive
Columbia, SC 29209

Jason T. Moss
816 Elmwood Avenue
Columbia, SC 29201

William K. Stephenson, Jr., Trustee (via electronic service)
Post Office Box 8477
Columbia, SC 29202

/s/Suzie Davis
Riley Pope & Laney, LLC
Suzie Davis, Bankruptcy Paralegal
Post Office Box 11412
Columbia, SC 29211
803-799-9993

Columbia, South Carolina
June 1, 2018



P.O Box 55004
Irvine, CA 92618
888.504.6700 toll free
949.341.2200 fax
www.rushmorelm.com

May 31, 2018

Bernard C Lyles
13 Trotwood Drive
Columbia SC 29209
*

Loan No.: [REDACTED]
Property Address: 13 Trotwood Drive
Columbia SC 29209

Re: Loan Modification Request-Notice of Action Taken

Dear Bernard C Lyles :

After a careful review of your loan modification application, we have determined that although you were previously provided an offer to modify your loan, that offer is now withdrawn and is no longer valid because:

The Trial Plan Agreement and/or the initial payment due under that agreement was not received by Rushmore by the due date as required.

The Trial Plan payment(s) were not received by the due date as required by the Trial Plan Agreement.

Additional conditions, as checked below and as outlined in the Trial Plan Agreement, were not satisfactorily resolved within the time required.

Subordination of Junior Liens

The Final Modification Agreement was not fully and timely completed as required.

Although we are not able to modify your loan based on the above criteria, your Single Point of Contact remains available should you wish to discuss other options to resolve your present circumstances.

Sincerely,
Loss Mitigation Department

If you have any questions regarding this letter, you should contact us at Rushmore Loan Management Services LLC, 15480 Laguna Canyon Road, Suite 100, Irvine, CA 92618 or toll free at 1-888-504-7300 Monday through Thursday between the hours of 6:00 a.m. to 7:00 p.m., Friday 6:00 a.m. to 6:00 p.m. Pacific Time.

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact: United States Department of Housing and Urban Development (HUD), toll free 1-888-995-HOPE (4673).

Please read important Legal Information on the next page.

[REDACTED]



STATE SPECIFIC NOTICES

The following notice applies to California residents only:

The state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8:00 a.m. or after 9:00 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP (382-4357) or www.ftc.gov.

The following notice applies to Colorado residents only:

Please note: A consumer has the right to request in writing that a debt collector or collection agency cease further communication with the consumer. A written request to cease communication will not prohibit the debt collector or collection agency from taking any other action authorized by law to collect the debt.

FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE www.coag.gov/car. Please be advised that you can reach the Colorado Foreclosure Hotline at 1-877-601-HOPE (601-4673).

Local Rushmore Loan Management Services LLC Agent for Colorado Residents:

Irvin Borenstein
13111 E. Briarwood Ave. Ste #340
Centennial, CO 80112
Phone: 303-309-3839

The following notice applies to Massachusetts residents only:

Notice of IMPORTANT RIGHTS: You have the right to make a written or oral request that telephone calls regarding your debt not be made to you at your place of employment. Any such oral request will be valid for only ten (10) days unless you provide written confirmation of the request postmarked or delivered within seven (7) days of such request. You may terminate this request by writing to the creditor.

The following notice applies to New York residents only:

If you believe the loss mitigation request has been wrongly denied, you may file a complaint with the New York State Department of Financial Services at 1-800-342-3736 or www.dfs.ny.gov.

The following notice applies to North Carolina residents only:

If you believe the loss mitigation request has been wrongly denied, you may file a complaint with the North Carolina Office of the Commissioner of Banks website www.nccob.gov.

ADDITIONAL NOTICES

Rushmore Loan Management Services LLC is a Debt Collector, who is attempting to collect a debt. Any information obtained will be used for that purpose. However, if you are in Bankruptcy or received a Bankruptcy Discharge of this debt, this letter is being sent for informational purposes only, is not an attempt to collect a debt and does not constitute a notice of personal liability with respect to the debt.

If you are a confirmed Successor-in-Interest who has not assumed the mortgage loan obligation under State Law, this letter is being sent for information purposes only and does not constitute personal liability with respect to the debt.